GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps – Allegation of Tearing off page Nos.445 to 450 in Volume No.1006 of Book-I at Sub Registrar Office, Tuni, East Godavari District – Disciplinary proceedings against seven Charged Officers – Charge framed against Sri Ch.V.Brahmam, Sub Registrar (now retired) – Inquiry conducted – Charge Proved – Inquiry Report Communicated – Show Cause Notice issued – Imposing a penalty of 3% cut in pension permanently under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 – Orders – Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.957 **Dated: 19-07-2018**

Read the following:

1. DIG, R&S, Kakinada Procs.No.X/532/2013, dated 12-06-2013.
2. WSD of the CO Sri Ch.V.Brahmam, former SR, Tuni (now Retired).
3. DIG, R&S, Kakinada Procs.No.X/530/2013, dated 04-06-2014.
4. DIG, R&S, Kakinada Procs.No.X/530/2013, dated 05-06-2014.
5. DIG, R&S, Kakinada Procs.No.X/530/2013, dated 10-09-2015.
6. From DR, R&S, Rajahmundry and presently DR, R&S, Vizianagaram Lr.No.E1/616/2014, dt:30-12-2016 (inquiry report).
7. D&IG, R&S, AP., Lr.No.X2/8964/2013, dt:01-03-2017 along with DIG, R&S, Kakinada Lr.No.X/530/2013-1, dt:24-1-2017 with enclosures.
8. Govt., Memo.No.REV-17021/14/2017-VIG.II-1, dt:27-07-2017.
9. Representation of Sri Ch.V.Brahmam, former SR(Retd) dt.05-09-2017.
10. Memo.No.REV-17021/14/2017-VIG-II-3, dated:02-01-2018.
11. Rep.dt.12-02-2018 of Sri Ch.V.Brahmam, Sub Registrar (Retd).
12. Goverenment Lr.No.REV-17021/14/2017-VIG-II-5, dt: 20-06-2018.
13. From Secretary, APPSC, Lr.No.397/DC&C/2018, dated 09-07-2018.

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O R D E R:

Whereas, in the reference 1st read above it has been brought to the notice of the Government that in the Office of the Sub Registrar, Tuni the page Nos.445 to 450 in Volume No.1006 of Book-I relating to the Document No.1306/1996 (Part), 1317/1986 and 1321/1986 are found torn off. In the above misconduct, the Deputy Inspector General, Registration & Stamps, Kakinada and the disciplinary authority has initiated disciplinary proceedings against seven Charged Officers and framed the following charge against Sri Ch.V.Brahmam, former Sub Registrar, Sub Registrar Office, Tuni :

Charge: The Charged Officer while discharging duties of Sub Registrar, Tuni has committed grave misconduct in as much as he failed to safeguard the permanent records of Sub Registrar Office, Tuni and responsible for tearing off and loss of three sheets (6 pages) from page No.445 to 450 in Volume No.1006 of Book-I of Sub Registrar Office, Tuni. He failed to protect and safeguard the permanent records of Sub Registrar Office, Tuni in violation of standing orders 1111, 1113 and 1116 of Andhra Pradesh Registration Manual Part-II and also failed to maintain the "Record Issue Register" in the office in violation of the standing order No.1149.

2. Whereas the Charged Officer has submitted his Written Statement of Defence vide reference 2nd read above denying the charge and as the same is not convincing, the Deputy Inspector General, Registration & Stamps, Kakinada got the matter enquired through regular inquiry and appointed the District Registrar, Registration & Stamps, Rajahmundry as Inquiring Authority vide reference 3rd read above and the District Registrar, Registration & Stamps, Kakinada as the Presenting Officer vide reference

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4th read above. Subsequently, on noticing certain other officials were also involved in the above misconduct, the Deputy Inspector General, Registration & Stamps, Kakinada has issued orders vide reference 5th read above entrusting the case for inquiry to the Inquiry Officer already appointed.

3. And whereas in the reference 6th read above, the Inquiring Authority has furnished the enquiry report against all the Charged Officers and in respect of Sri Ch.V.Brahmam, former Sub Registrar, the Inquiry Officer observed that after due analysis the Charged Officer as Sub Registrar, Tuni is only responsible for any omission and commissions in issuing the Encumbrance Certificates, Certified Copies and Market Value Check slips though they were prepared by the staff. Further stated that the Charged Officer as Sub Registrar in the Registration department has the overall supervising powers in all aspects of work i.e., issuing of Encumbrance Certificates, Certified Copies, Market Value Check slips and Registration of documents and the staff are supposed to assist him only in his duties as all the powers are vested with the Sub Registrar. As Sub Registrar he need not exclusively concentrate on movement of records in and out from the record room and stated that but it is enough to see that the Record Issue Register is maintained and movement of every volume in and out from the record room is made in the Record Issue Register. Further stated that tearing of papers / missing of pages from the Book-I volume is a major lapse on the part of Sub Registrar as it is permanent record. He further stated that the Charged Officer as Sub Registrar is custodian of the Record Room and any missing of records would automatically reflect the lapses on the part of Sub Registrar and stated that he can definitely observe people entering into the record room and coming out of the record room as the record room is just beside the Sub Registrar and which is within the vision of the Charged Officer. He further stated that as per above statements and material on record, it is revealed that the Charged Officer failed to safeguard the records in the record room which is the basic duty of the Charged Officer as Sub- Registrar, Tuni, by violating the departmental Standing Orders concerned and thus responsible for missing of pages from 445 to 450 in Volume No.1006 of Book-I. The Inquiry Officer has finally held that the Charge farmed against Sri Ch.V.Brahmam, Sub-Registrar, Tuni (now Retired), East Godavari Registration District, cannot be held otherwise than proved.

4. Whereas the Deputy Inspector General, Registration & Stamps, Kakinada and Disciplinary Authority has accepted the findings of the Inquiring Authority and submitted proposals to the Government vide reference 7th read above, for taking further action against the Charged Officer in the above disciplinary proceedings under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 as the Charged Officer along with certain others who were involved in the above case were Retired from service on superannuation.

5. Government after examining the matter have accepted the findings of the Inquiry Authority and communicated the Inquiring Authority report to the Charged Officer Sri Ch.V.Brahmam, former Sub Registrar (now Retired) vide reference 8th read above.

6. The Charged Officer, vide reference 9th read above has submitted the representation stating mainly among others that there is no logic in any of the charge framed against him particularly when the probable date of occurrence of such tampering was indulged in, could not be identified so far, even by the Preliminary Enquiry Officer and without any prima facie case and stated that the Preliminary Enquiry Officer or the Regular Enquiry Officer could not find out as to when such unfortunate incident regarding tampering / disappearance of the official record, actually occurred whereas the single search application was admitted on 23.07.2012 by Smt.P.Satyavathi, Senior Assistant of their office. He has further stated that

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on verification of the D-Account in question, the date of the last issue of the Certified Copies for document No.1317/1986 of BK-1 volume-1006 and the initial on the application was not that of him. He further stated that the Standing Order 1113 (2) speaks unless specific evidence is established, no one can be held personally liable for any offence or guilt much less the charge framed against him and requested the Government to exonerate him from the above charge.

7. Whereas the Government after careful examination of the matter with material available on record and the representation of the Charged Officer have provisionally decided to impose a penalty of 3% cut in pension permanently against Sri Ch.V.Brahmam, former Sub Registrar, Sub Registrar Office, Tuni (now Retired) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 and accordingly, issued Show Cause Notice to Charged Officer, vide reference 10th read above, with a direction to submit his representation if any, in the matter. The Charged Officer has submitted his representation, vide reference 11th read above re-iterating the contents earlier stated by him and requested to drop further action against him.

8. The Government have examined the matter in detail and observe that the Charged Officer has not put forth any new grounds to substantiate his stand, hence it has been decided to confirm the provisional decision i.e., to impose the penalty of 3% cut in pension permanently against Sri Ch.V.Brahmam, former Sub Registrar, Sub Registrar Office, Tuni (now Retired). The concurrence of the Andhra Pradesh Public Service Commission has been obtained in the reference 13th read above and the same is communicated to the Charged Officer (copy enclosed).

9. Government, after careful examination of the matter, hereby order to impose a penalty of 3% (three percent) cut in pension permanently against Sri Ch.V.Brahmam, former Sub Registrar, Sub Registrar Office, Tuni (now Retired)) for the charge held proved against him.

10. The Director and Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri Ch.V.Brahmam, former Sub Registrar, Sub Registrar Office, Tuni (now Retired)**through** the Director and Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada

The Director and Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada (with a request to serve the G.O on the individual and send the served copy with dated signature to Government)

Copy to:

The Secretary to the Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Secretariat Building No.5, Velagapudi.

The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.

The Accountant General, Andhra Pradesh, Hyderabad.

The Director of Treasury and Accounts, Andhra Pradesh, D.No.7-57, Sri Anjaneya Towers, VTPS Road, Ibrahimpatnam, Vijayawada-521456.

The Deputy Inspector General, Registration & Stamps, Kakinada, East Godavari District.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFCIER